

said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 9th day of November 1936 at 2:00 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS, Acting Secretary.

[F. R. Doc. 3128—Filed, October 27, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission.

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 26th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE OHIO-BANKIN FARM, FILED ON OCTOBER 19, 1936, BY HARRY M. CROWE, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340(A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that in Item 3 of Division III it is not fully explained how the sand thickness used in the volumetric calculation was determined;
2. In that in Item 3 of Division III it is not fully explained how the percentage of porosity used in the volumetric calculation was determined;
3. In that in Item 3 of Division III it is not fully explained how the percentage of saturation used in the volumetric calculation was determined;
4. In that Item 4 (e) of Division III is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 25th day of November 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission, be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 9th day of November 1936 at 3:30 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania

Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS, Acting Secretary.

[F. R. Doc. 3125—Filed, October 27, 1936; 12:47 p. m.]

Thursday, October 29, 1936

No. 163

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

DESIGNATION OF THE DIRECTOR OF THE GEOLOGICAL SURVEY TO ACT AS SECRETARY OF THE INTERIOR

By virtue of and pursuant to the authority vested in me by section 179 of the Revised Statutes (5 U. S. C., sec. 6), I hereby authorize and direct Dr. W. C. Mendenhall, Director of the Geological Survey, to perform the duties of the Secretary of the Interior during the absence or sickness from October 27, 1936 to November 3, 1936, inclusive, of the Secretary of the Interior, the Under Secretary of the Interior, the First Assistant Secretary of the Interior and the Assistant Secretary of the Interior.

Executive Order No. 7277 of January 17, 1936, is modified accordingly.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
October 27, 1936.

[No. 7479]

[F. R. Doc. 3140—Filed, October 27, 1936; 4:22 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

PROCLAMATION CONCERNING BASE PERIOD TO BE USED IN CONNECTION WITH EXECUTION OF MARKETING AGREEMENT AND ISSUANCE OF ORDER REGULATING HANDLING OF MILK IN FORT WAYNE, INDIANA, MARKETING AREA

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, the Secretary of Agriculture does hereby find and proclaim that in connection with the execution of a marketing agreement and the issuance of an order regulating the handling of milk in the Fort Wayne, Indiana, Marketing Area, the purchasing power of such milk during the base period August 1909 to July 1914 cannot be satisfactorily determined from available statistics in the Department of Agriculture, but that the purchasing power of such milk can be satisfactorily determined from available statistics in the Department of Agriculture for the period August 1919 to July 1929; and the period August 1919 to July 1929 is hereby found and proclaimed to be the base period to be used in connection with ascertaining the purchasing power of milk handled in the Fort Wayne, Indiana, Marketing Area, for the purpose of the execution of a marketing agreement and the issuance of an order regulating the handling of said milk in that area.

In witness whereof the Secretary of Agriculture has executed this proclamation in duplicate and has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 27th day of October 1936.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

[F. R. Doc. 3143—Filed, October 28, 1936; 11:51 a. m.]

SR—B-5, Supplement (c)

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 5

Supplement (c)

Southern Region Bulletin No. 5 is hereby amended by adding at the end thereof the following:

Where an application for payment is made covering land on which cotton was grown in 1936 and no cotton soil-depleting base could be established for such farm in 1936 pursuant to part III of Southern Region Bulletin No. 1, Revised, and part II of Southern Region Bulletin No. 3, the yield per acre of cotton to be entered in line 3, column (B) of Form 9 shall be the yield per acre determined by the county committee to be the normal yield per acre of cotton for similar land in the community. In such cases, a zero shall be entered in line 1, column (B) of Form 9. A similar procedure shall be followed with respect to tobacco if tobacco was grown in 1936 and no tobacco soil-depleting base could be established. A similar procedure shall be followed with respect to peanuts if peanuts for nuts were grown in 1936 and no peanut soil-depleting base could be established. A productivity index shall be established for each farm in accordance with the provisions of section 5, part I, of Southern Region Bulletin No. 3, where the farm does not have the minimum acreage of soil-conserving crops computed pursuant to section 6, part II, of Southern Region Bulletin No. 1, Revised, and where a productivity index has not previously been established with respect to the farm.

If the county committee has reason to believe that any person making an application for payment in the county under the 1936 Agricultural Conservation Program has adopted practices which tend to defeat the purposes of the 1936 Agricultural Conservation Program, it shall be the duty of such committee to immediately report to the State Committee all available data relative to performance of such person in the county in 1936. The report should contain the following:

1. All available data relative to performance of such person in the county in 1936 with the provisions of the 1936 Agricultural Conservation Program.

2. The serial number of work sheets covering farms in the county owned or operated by such person.

3. The serial number of Forms 9 (including the Form 9 with respect to rice, if any) covering farms in the county owned or operated by such person.

The State Committee shall review such data, and if necessary, request the county committee to check performance on any farm owned or operated by such person which has not already been checked and submit a Form 3 and a Form 9 for such farm. Such Form 9 should be signed by the supervisor or committeeman, the county committeeman, and the county agent, but need not be signed by any other person. In such cases, the State Committee shall make a finding as to whether the provisions of sections 5, 6, and 7, part V of Southern Region Bulletin No. 1, Revised, are applicable. If the State Committee finds that such sections are applicable the words "multiple provisions applicable" shall be entered in section IV, item A or B, or both, as the case may be.

Except as noted above, it is not required that a showing be made or expressed by the State Committee as to the applicability of said sections 5, 6, and 7 in each case where a person owns or operates more than one farm in a county and the facts are such that said sections 5, 6, and 7 are not applicable. Neither is it required that evidence of whether such finding was made be attached to or set out in the application for payment or elsewhere except in cases as aforesaid where the State Committee finds that said sections 5, 6, and 7 are applicable. The fact that a finding that said sections 5, 6, and 7 are applicable is not attached to or expressed on the application for payment shall be considered as conclusive evidence that under the facts such a finding could not be made and accordingly that said sections 5, 6, and 7 are not applicable.

If a county committee has knowledge of the fact that a producer making application for payment under the 1936

Agricultural Conservation Program participates in the production of rice on any farm in the State and that such producer is *not* making application for payment with respect to rice, a Form ACP-3, Schedule of Rice Acreage, shall be executed as follows:

If the State Committee has made an assignment of base rice acreage to such producer in 1936, a Form ACP-3 shall be executed in accordance with instructions contained in Supplement (a) to Southern Region Bulletin No. 3, except that columns (2), (4), (6), (8), and (10), may be omitted. In addition, a productivity index shall be entered by the applicable county committee to the right of column (10) for each farm listed on the Form ACP-3.

If the State Committee has not made an assignment or base rice acreage to such producer in 1936, a Form ACP-3 shall be executed in accordance with instructions contained in Supplement (a) to Southern Region Bulletin No. 3, except that the "Producer's Serial No." need not be entered; columns (1), (2), (3), (4), (5), (6), (8), and (10) may be omitted; and a productivity index shall be entered by the applicable county committee to the right of column (10) for each farm listed on the Form ACP-3.

A copy of the Form ACP-3 executed in accordance with the above, shall be attached to each application for payment with respect to any soil-depleting base or soil-building practice carried out in which such rice producer is interested and forwarded to the State Office for examination.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 27th day of October 1936.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

[F. R. Doc. 3142—Filed, October 28, 1936; 11:51 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of October A. D. 1936.

[No. MC 11220]

APPLICATION OF GORDONS TRANSPORTS, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Gordons Transports, Inc., of 203-17 Washington Avenue, Memphis, Tenn., for a Certificate of Public Convenience and Necessity (Form BCM A1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, in the States of Illinois, Missouri, Arkansas, Tennessee, Oklahoma, and Texas, Over Regular and Irregular Routes

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner J. L. Bradford for hearing on the 16th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Peabody Hotel, Memphis, Tenn., and for recommendation of an appropriate order thereon accompanied by the reasons therefor;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hear-

ing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3144—Filed, October 28, 1936; 12:13 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 16th day of October A. D. 1936.

[No. MC 50548]

APPLICATION OF ALF PETER OLSON FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Alf Peter Olson, of 125 College Avenue, Idaho Falls, Idaho, for a Permit (Form BMC 10, New Operation), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, with Exceptions, in Interstate Commerce, in the States of Idaho, Montana, Utah, and Wyoming, Over the Following Routes

Route No. 1.—Between Butte, Mont., and Rock Springs, Wyo., via Pocatello, Idaho.

Route No. 2.—Between Boise, Idaho, and West Yellowstone, Mont.

Route No. 3.—Between Pocatello, Idaho, and Butte, Mont.

Route No. 4.—Between St. Anthony, Idaho, and Rock Springs, Wyo.

Route No. 5.—Between Idaho Falls and Boise, Idaho.

Route No. 6.—Between Pocatello, Idaho, and West Yellowstone, Mont.

Route No. 7.—Between Pocatello, Idaho, and Ogden, Utah, via Malad City, Idaho; (a) or via Logan, Utah.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner R. J. Olentine for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner R. J. Olentine on the 2nd day of December A. D. 1936, at 10 o'clock a. m. (standard time), at the Federal Building, Idaho Falls, Idaho;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3146—Filed, October 28, 1936; 12:13 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 16th day of October A. D. 1936.

[No. MC 39063]

APPLICATION OF UNION PACIFIC STAGES, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Union Pacific Stages, Inc., Doing Business as "Union Pacific Stages, Inc.", "Union Pacific Stages", "Union Pacific Stages of California", "Interstate Transit Lines", "Interstate Transit Lines, Inc.", and "Chicago and North Western Stages", of 2116 Leavenworth Street, Omaha, Nebr., for a Certificate of Public Convenience and Necessity (Form BMC 2), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Persons, Light Express, Mail, and Newspapers, in Interstate Commerce, in the States of Utah, Idaho, Montana, Oregon, and Washington, Over the Following Routes:

Route No. 1.—Between Salt Lake City, Utah, and Portland, Oreg.

Route No. 2.—Between Salt Lake City, Utah, and St. Anthony, Idaho.

Route No. 3.—Between Pocatello and Burley, Idaho.

Route No. 4.—(Seasonal operation.) Between St. Anthony, Idaho, and West Yellowstone, Mont.

Route No. 5.—Between Pendleton, Oreg., and Spokane, Wash.

Route No. 6.—Between Lewiston, Idaho, and Dodge, Wash.

Route No. 7.—Between Spokane, Wash., and Grangeville, Idaho.

Route No. 8.—Between Spokane, Wash., and Potlatch, Idaho.

Route No. 9.—Between Spokane and Tekoa, Wash.

Route No. 10.—Between Spokane, Wash., and Umatilla, Oreg.

Route No. 11.—Between the Wyoming-Idaho State line near Border, Wyo., and Pocatello, Idaho.

Route No. 12.—Between Walla Walla and Pasco, Wash.

Also Charter Service.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered. That the above-entitled matter be, and it is hereby, referred to Examiner R. J. Olentine for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner R. J. Olentine on the 16th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Hotel Utah, Salt Lake City, Utah;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3145—Filed, October 28, 1936; 12:13 p. m.]

[Fourth Section Application No. 16574]

GRAVEL FROM READING, MO., TO GOLDEN, ILL.

OCTOBER 28, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: R. A. Sperry, Agent.
Commodity involved: Gravel, road surfacing, carloads.
From: Reading, Mo.
To: La Prairie, Ill.
Grounds for relief: Truck competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3147—Filed, October 28, 1936; 12:14 p. m.]

[Fourth Section Application No. 16575]

NEWSPRINT PAPER TO GARY, IND.

OCTOBER 28, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: L. E. Kipp, Agent.
Commodity involved: Newsprint paper, in carloads.
From: Port Arthur, Fort William and West Fort William, Ont.
To: Gary, Ind.
Grounds for relief: Water competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3148—Filed, October 28, 1936; 12:14 p. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 26]

ALLOCATION OF FUNDS FOR LOANS

OCTOBER 27, 1936;

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Nebraska 49 Howard	\$400,000
Wisconsin 21 Taylor	225,000

MORRIS L. COOKE, Administrator.

[F. R. Doc. 3141—Filed, October 28, 1936; 9:36 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of October A. D. 1936.

[File No. 34-3]

IN THE MATTER OF DERBY GAS & ELECTRIC CORPORATION (APPLICATION PURSUANT TO SECTION 11 (G) OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935)

NOTICE OF HEARING AND ORDER DESIGNATING TRIAL EXAMINER

Application having been duly filed with this Commission, by Derby Gas & Electric Corporation pursuant to Section 11 (g) of the Public Utility Holding Company Act of 1935, for a report by this Commission on a plan of reorganization to be used in connection with the solicitation of proxies from applicant's preferred stockholders authorizing the voting of their stock in favor of an amendment to applicant's Certificate of Incorporation which will, among other things, reduce the dividend rate on applicant's existing preferred stock from \$7.00 and \$6.50 per annum to \$5.00 and \$4.64 respectively per annum; and which will permit, without further action of applicant's preferred stockholders, the transfer of applicant's assets to a new Connecticut corporation with preferred stock of like terms and amount to that of applicant as outstanding after said amendment, and the exchange of the preferred stock of such Connecticut corporation, share for share, for applicant's then preferred stock.

It is ordered that such matter be set down for hearing on November 14, 1936, at 10 o'clock in the forenoon of that day, at Room 1103, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 9, 1936.

It is further ordered that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission. By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 3149—Filed, October 28, 1936; 12:36 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-BURNHAM FARM, FILED ON SEPTEMBER 12, 1936, BY D. F. BERNHEIMER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office

of the Commission on October 26, 1936, be effective as of October 26, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3154—Filed, October 28, 1936; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of October A. D. 1936:

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-HAYES-HIGHLAND ET AL FARMS, FILED ON SEPTEMBER 12, 1936, BY D. F. BERNHEIMER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 26, 1936, be effective as of October 26, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3155—Filed, October 28, 1936; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of October A. D. 1936:

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-COOPER FARM, FILED ON SEPTEMBER 12, 1936, BY D. F. BERNHEIMER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 26, 1936, be effective as of October 26, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3156—Filed, October 28, 1936; 12:36 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-LIBERTY FARM, FILED ON SEPTEMBER 12, 1936, BY D. F. BERNHEIMER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 26, 1936, be effective as of October 26, 1936; and

It is further ordered that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3153—Filed, October 28, 1936; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of October A. D. 1936:

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE MAGNOLIA-A. HARRIS FARM, FILED ON OCTOBER 23, 1936, BY W. H. CARRAHER, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that in Item 3 of Division III no sufficient reason is given for the use of a recovery factor of 70% in the estimation of the oil recoverable from the Viola Lime;

2. In that in Item 3 of Division III the estimation of recovery from the Siliceous Lime is based upon recoveries in the Greenwich Pool, in which pool, however, this formation is not productive;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 26th day of November 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 10th day of November 1936, at 11:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3152—Filed, October 28, 1936; 12:36 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BARNSDALL-SUNRISE FARM, FILED ON OCTOBER 20, 1936, BY R. E. PITTS, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that, upon the basis of the participation in oil or gas produced as stated in Item 1 of Division II, the size of the smallest fractional interest proposed to be offered is incorrectly stated in that item;

2. In that, upon the basis of the information given in Items 17 (d) and (e) of Division II, the information given in Item 17 (f) is incorrect;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 26th day of November 1936 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 10th day of November 1936 at 10:30 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3151—Filed, October 28, 1936; 12:36 p. m.]

VETERANS' ADMINISTRATION.

REVISION OF REGULATIONS

BURIAL AND FUNERAL EXPENSES AND TRANSPORTATION OF BODIES OF VETERANS

R-2692 (C) No allowance may be made for direct payment of or reimbursement for burial, funeral, and/or transportation expenses, where burial occurred on or after March 31, 1933, unless there is filed within one year subsequent to the date of burial of the veteran a specific claim for the benefit. In the event the claimant's application is not complete at the time of original submission, the claimant will be notified of the evidence necessary to complete the application and if such evidence is not received within one year from the date of the request therefor no allowance may be paid (October 28, 1936) (Public No. 844, 74th Congress.)

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 3159—Filed, October 28, 1936; 12:45 p. m.]

REVISION OF REGULATIONS

ELECTION OF OPTIONAL SETTLEMENT BY BENEFICIARY

R-3065. If the insured under a United States Government life insurance policy has not selected one of the optional settlements then at the death of the insured the designated beneficiary may elect to receive settlement under either option 2 or 3 as set forth in the policy, but such an election by the beneficiary shall not be valid unless and until it is recorded in the Veterans' Administration. If the insured has selected an optional settlement then at the death of the insured the designated beneficiary may elect to receive the proceeds of insurance in installments spread over a greater period of time than that selected by the insured. A beneficiary who has elected to receive payment under either option 2 or 3 of a policy wherein the insured selected option 1 may elect to receive the commuted value of any remaining unpaid installments certain (240 less the number paid in the case of option 3). Settlement under any one of the options or payment to the beneficiary of said commuted value shall be in full and complete discharge of all liability under the contract (October 28, 1936) (Section 301, W. W. Veterans' Act, 1924).

R-3066 canceled October 28, 1936.

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 3153—Filed, October 28, 1936; 12:44 p. m.]

REVISION OF REGULATIONS

REVISION OF RATING BOARD DECISIONS

R-1009. (D) Except in case of fraud, a change in law, or a change of interpretation of law specifically provided in a Veterans' Administration issue, or where the evidence establishes beyond any reasonable doubt (the burden of proof being on the Government) that the award was illegal or improper, when the breaking of service connection is contemplated under subparagraph (A), or before a rating breaking service connection is rendered under subparagraph (B), the claimant will be immediately notified in writing of the proposed action and given a reasonable period, not to exceed sixty days from the date on which notice is mailed to his last address of record, for the presentation of additional evidence either in writing or by hearing (October 28, 1936) (Public, No. 2, and Public, No. 141, 73d Congress.)

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 3157—Filed, October 28, 1936; 12:44 p. m.]